### **RESOLUTION NO. 14-02**

RESOLUTION OF THE OVERSIGHT BOARD FOR THE SUCCESSOR AGENCY TO
THE FORMER REDEVELOPMENT AGENCY OF THE COUNTY OF VENTURA,
STATE OF CALIFORNIA, APPROVING THE AMENDED LONG RANGE PROPERTY MANAGEMENT PLAN
AND DIRECTING SUCCESSOR AGENCY STAFF TO SUBMIT THE AMENDED LONG RANGE PROPERTY
MANAGEMENT PLAN TO THE DEPARTMENT OF FINANCE

The Oversight Board for the Successor Agency to The Former Redevelopment Agency of the County of Ventura ("Oversight Board") does resolve as follows:

WHEREAS, Assembly Bill x1 26 ("ABx1 26") was passed by the State Legislature on June 15, 2011 and signed by the Governor on June 28, 2011, and AB 1484 was approved by Governor, effective June 27, 2012; and

WHEREAS, among other things, ABx1 26 adds and AB 1484 amends Part 1.85 to the California Health and Safety Code, including Health and Safety Code section 34170 et seq.; and

WHEREAS, by enactment of Part 1.85 of Division 24 of the Health and Safety Code, The Redevelopment Agency of the County of Ventura was dissolved as of February 1, 2012, and the County of Ventura was designated the Successor Agency to The Redevelopment Agency of the County of Ventura ("Successor Agency") under Health and Safety Code Section 34173(a); and

WHEREAS, pursuant to Health and Safety Code Section 34179.7, upon full payment of the amounts determined in of the Low and Moderate Incoming Housing Fund review and the Other Funds and Accounts review done pursuant to Section 34179.6, upon review of any other amounts due, as required by Section 34183.5, and upon a final determination of the amounts due and confirmation that those amounts have been paid by the county auditor-controller, the Department of Finance (DOF) is required to issue, within five business days, to the Successor Agency a Finding of Completion of the requirements of Section 34179.6; and

WHEREAS, on April 19, 2013, the Successor Agency submitted a Finding of Completion Determination Request to the DOF; and

WHEREAS, on April 26, 2013, the DOF issued a Finding of Completion to the Successor Agency; and

WHEREAS, on May 9, 2013, the Oversight Board received the DOF's Finding of Completion; and

WHEREAS, pursuant to Health and Safety Code Section 34191.5(b), the Successor Agency shall prepare a long-range property management plan that addresses the disposition and use of the real properties of the former redevelopment agency and the report shall be submitted to the oversight board and the DOF for approval no later than six months following the issuance to the successor agency of the finding of completion; and

WHEREAS, the OB previously approved a Long Range Property Management Plan that complied with Section 34191.5(b) in Resolution No. 13-06 and, acting upon direction from the OB, Successor Agency staff submitted said plan and resolution to the DOF; and

WHEREAS, acting upon a recommendation received from the DOF after its initial review of said plan, Successor Agency staff has prepared and the OB has reviewed and approved an Amended Long Range Property Management Plan that also complies with Section 34191.5(b).

### NOW, THEREFORE, BE IT FOUND AND RESOLVED AS FOLLOWS:

- The above recitations are true and correct.
- 2. The Oversight Board hereby adopts this Resolution 14-02, approving the Amended Long Range Property Management Plan prepared by Successor Agency staff and presented to this Board.
- 3. The Oversight Board directs Successor Agency staff to submit the approved Amended Long Range Property Management Plan to the DOF.

PASSED, APPROVED AND ADOPTED by the Oversight Board, on a motion by Board Member Paula Driscoll, seconded by Member Heather Kurpiewski this 13th day of

February 2014.

Chair

Oversight Board

ATTEST:

Successor Agency Secretary

Securement Agency of the Former RDA of the County of Vantura.

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### 1. Date of acquisition:

The County of Ventura acquired the former Citizens State Bank property in December of 1994 for the sum of \$1.00. The Bank Building was structurally repaired and then was deeded, at no cost, to the Redevelopment Agency on February 25, 1997.

### 2. Value of property at time of acquisition:

The closest Fair Market Value was estimated on October 15, 1999, at \$62,000.

### 3. Estimate of current value:

At the May 11, 2012, Oversight Board meeting, the County of Ventura Real Estate Services Division, Public Works Agency, valued the bank building asset at approximately \$100,000 to \$110,000.

### 4. If available, provide current appraisal:

Not available.

### 5. Purpose for which the property was acquired:

The County of Ventura's Redevelopment Agency was formed in 1995 to address blighted conditions in the unincorporated community of Piru following the January 1994 Northridge earthquake. After the earthquake, most of the community's downtown buildings suffered damage and needed extensive repair. Citizens State Bank owned the bank building in Piru. After the earthquake, the County of Ventura acquired the former Citizens State Bank property in December of 1994 for the sum of \$1.00. The Bank Building was structurally repaired by emergency grant funding. Once the Redevelopment Agency was formed, the County, in turn, deeded the property, at no cost, over to the Redevelopment Agency on February 25, 1997. The Piru Redevelopment Plan called for strategies to encourage the reintroduction of business activity in its downtown. To that extent, the Agency decided to lease the bank building at or below market value to encourage economic development in the area.

### 6. Parcel data:

a. Address: 3940 East Center Street, Piru, CA 93040

b. APN #: 056-0-101-010

- c. Lot size: The Bank Building is rectangular in shape with 50' of frontage on Main Street and 24.01' of frontage on Center Street. Located on the westerly 24.00 feet of Lots 1 and 2 Block J of Map of Piru, in the County of Ventura, State of California, as per Map recorded in Book 5 Page 4 of Maps in the office of the County of Recorder of said County. The building, built in 1918, is approximately 1,001 square foot with one story, masonry construction and wood roof.
- d. Current zoning in the former agency redevelopment plan or specific, community, or general plan: Commercial

### 7. Estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds:

- a. After acquiring the building on February 25, 1997, there were four separate tenants who leased the building; each operated an ice cream store business. The tenants were contractually required to pay a deposit and monthly rent to the Redevelopment Agency. The rent was deposited into the non-housing RDA funds. No revenue has been generated since August 2012.
  - i. Tenant #1: Patricia True. Ran the business between March 1, 2000 to May 2005
  - ii. Tenant #2: Eric Barrigan. Ran the business between July 1, 2005 to February 2008
  - iii. Tenant #3: Stephanie Acosta. Ran the business between August 13, 2008 to June 3, 2009
  - iv. Tenant #4: Alfonso Aguilar. Ran the business between June 3, 2009 to September 3, 2012
- b. After the last tenant terminated his lease in September of 2012, the building has remained vacant. Now under the Successor Agency, disposition has been delayed due to the legal requirement that the Department of Finance approve a

Long Range Property Management Plan for this property. In the meantime, the Bank Building has been made available for use by the local community and by area film industry companies after they obtain required permits. Film permits for the building are contractually coordinated through the County's General Services Agency which handles similar permitting for County park facilities. Fees are structured in accord with a facility use and film permit fee schedule that is approved annually by the County Board of Supervisors. Any fees obtained from such use are channeled through the Successor Agency to the Auditor-Controller's Office and then paid out to the taxing entities. Estimated revenue for this activity is approximately \$12,241 to date.

- 8. History of any environmental contamination, including designation as a Brownfield site, any related environmental studies, and history of any remediation efforts: Not applicable for this property.
- 9. Description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency:

Not applicable for this property. The Bank Building originally supported a commercial business and the Piru Redevelopment Plan called for strategies to encourage the reintroduction of business activity in the downtown area. To that extent, the Agency decided to lease the Bank Building at or below market value to commercial businesses to encourage economic development in the area. There were no plans for transit-oriented development with this property.

10. History of previous development proposals and activity, including the rental or lease of the property:

As described in item number 7 above, after the Agency acquired the property on February 25, 1997, there were four separate tenants who leased the building, each operating it as an ice cream store business.

a. Tenant #1: Patricia True. Ran the business between March 1, 2000 to May 2005

- b. Tenant #2: Eric Barrigan. Ran the business between July 1, 2005 to February 2008
- c. Tenant #3: Stephanie Acosta. Ran the business between August 13, 2008 to June 3, 2009
- d. Tenant #4: Alfonso Aguilar. Ran the business between June 3, 2009 to September 3, 2012

After the last tenant terminated his lease in September of 2012, the building has remained vacant. Now under the Successor Agency, disposition has been delayed until the Department of Finance approves the Long Range Property Management Plan. In the meantime, it has been made available to the local community and film industry, as described above.

### 11. Identify the use or disposition of the property, which could include:

- a. The retention of the property for governmental use,
- b. The retention of the property for future development,
- c. The sale of the property, or
- d. The use of the property to fulfill an enforceable obligation.

The Successor Agency will dispose of the Piru Bank Building by selling the property (item "c") after the Department of Finance has approved the Long Range Property Management Plan. The Successor Agency plans to market the property through a commercial real estate broker and to sell the property for the highest and best offer in order to maximize return on the investment and minimize costs.

### 12. Other properties dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation.

There are only two other properties and both will be retained for purposes of fulfilling an enforceable obligation. Both are bond financed; therefore the Successor Agency will hold these assets until the bonds are paid in full.

- a. The Piru Storm Drain;
- b. The Piru Town Square Depot.

### 1. Date of acquisition:

The property is located in the road right of way under Main, Orchard and Center Streets in the town of Piru, California. The County of Ventura is the owner in fee of an easement over the described real property. The former Redevelopment Agency (RDA) decided to build the Piru Storm Drain as a public utilities improvement for the Piru area. A contract to construct the Piru Storm Drain was awarded to Sierra Cascade Construction, Inc., on June 3, 2008, and a Notice of Completion was issued on April 13, 2009.

### 2. Value of property at time of acquisition:

The storm drain was constructed on property not acquired or owned by the Redevelopment Agency. The RDA acquired an easement which gave it the right to use the land for public road purposes. In 2008, the cost of construction of the Piru Storm Drain was \$940,779.97. As part of the financing, the United States Department of Agriculture issued the RDA a 2008 Tax Allocation Bond, Series A. The bond amount is \$750,000, the loan date is July 24, 2008, and the maturity date is July 1, 2038.

### 3. Estimate of current value:

The construction cost of the drain was \$940,779.97, and it was capitalized on 4/13/09. Accumulated depreciation is \$30,246.51. The current depreciated Net Book Value (NBV, carrying value, or "current value") is **\$910,533.46**.

### 4. If available, provide current appraisal:

Not available on this property.

### 5. Purpose for which the property was acquired:

Piru, a small rural community located in a remote unincorporated section of the County of Ventura, lies on the sloping base of a rugged mountainous region. Runoff from the mountains contains considerable debris and silt. The existing drainage facilities within this area consist of open drainage courses, debris basins, box culverts and a limited numbered of covered storm drain lines. A 1971 engineering study determined that the

number of storm drains in Piru were insufficient for the annual storm runoffs and were either undersized or at capacity. At that time, it was estimated that the cost for necessary repairs and improvements to the drainage system would be \$2,277,000. Since then, the town has doubled in size. During rainy seasons, storm drain capacities are generally inadequate to intercept the amount of flow coming from the mountains. This results in slope erosion, surface water contamination and the routine flooding of low areas in town. The only improvements done to the storm drains since 1971 occurred in 1998 when approximately 2800 linear feet were repaired.

The RDA identified a specific area in the town of Piru that experiences yearly flooding that causes damage to homes and flooding of streets. The area is along Main, Orchard, and Center streets. The area was served by a 12" diameter storm drain that was installed more than 50 years ago. This drain was undersized for the calculated flows from this drainage area.

In addition, a debris basin at the top of Orchard Street had no outlet so it would rapidly fill up and overflow onto both Orchard and Main streets during rain events which contributed to the flooding. The RDA determined that increasing storm drain capacity in this area and adding an inlet at the debris basin would mitigate the flooding problems. Fixing the storm drain issues provided a safer and more sanitary living environment for the residents of Piru.

### 6. Parcel data:

- a. Address: Piru Storm Drain, Project Specification No. CP08-02, Project No. 05022, lies in the road right of way under Main, Orchard and Center streets in the town of Piru, California, 93040.
- b. Lot size: The Storm Drain includes construction of approximately 2100' of 36" and 48" diameter concrete storm drain that is independent of existing lines with a catch basin installed along the full length of the drainpipe. Ten inlets and an inlet structure at the debris basin are included.

c. Current zoning in the former agency redevelopment plan or specific, community, or general plan:

N/A: The County of Ventura Planning Division has no authority to issue permits in the public right-of-way in Piru, California, therefore, the County does not assign zoning to the streets. In addition, the County's Assessor's office does not issue APNs for right-of-ways. See attached map - Exhibit D.

7. Estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds:

This infrastructure project does not generate any fee based public use or revenue.

8. History of any environmental contamination, including designation as a Brownfield site, any related environmental studies, and history of any remediation efforts:

The Piru Storm Drain lies within the unincorporated town of Piru which consists of single family housing and park areas. The planning area is outside of any flood plains, wetlands, or environmentally sensitive areas. A study was conducted for historic or archeological sites within the planning area and no significant sites were found.

9. Description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency:

Not applicable to this property.

10. History of previous development proposals and activity, including the rental or lease of the property:

Not applicable to this property.

- 11. Identify the use or disposition of the property, which could include:
  - a. The retention of the property for governmental use,
  - b. The retention of the property for future development,

- c. The sale of the property, or
- d. The use of the property to fulfill an enforceable obligation.

The Successor Agency will retain the property for governmental use (item "a"). Once the Long Range Property Mangement Plan is approved by the Department of Finance, the Piru Storm Drain will be transferred to the County of Ventura at no cost. The County of Ventura will retain and maintain, at its cost, the property for governmental use, serving the residents of Piru.

12. Other properties dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation.

The Piru Town Square Depot property is the only other property that will be retained for the purpose of governmental use.

### 1. Date of acquisition:

The property is located along the operating portion of the Santa Paula Branch Line (Railroad) in Piru. The fee owner of the real property is the Ventura County Transportation Commission (VCTC). On July 1, 1997, the VCTC entered into a Property Management and Assignment of Rents Agreement with the County of Ventura, giving the County the right to construct and make improvements to the property for uses allowed by the County's General Plan and VCTC's Master Plan. VCTC appointed the County as its agent to lease the property to any party for all allowed and permitted uses and to manage all existing and future leases. A "Certificate As To Project Site, Rights-Of-Way and Easements" agreement was signed by the architects for the Town Square Project on February 15, 2002 and the attorney for VCTC on March 24, 2002. The certificate stated that the Piru Town Square project was being constructed by the County of Ventura Redevelopment Agency (RDA). The construction contract was awarded to Gerstenberger Construction Corporation, on October 23, 2001. Construction was completed in December, 2002, and the Notice of Completion was issued on March 12. 2003.

### 2. Value of property at time of acquisition:

On October 23, 2001, the estimated cost of construction of the Piru Town Square improvements built by the RDA was \$1,375,000. The RDA's interest in the property is limited to these improvements. The value of the land is not included because the RDA did not purchase a fee interest in the property. The Ventura County Transportation Corporation (VCTC), a separate legal entity, owns the fee interest in the land. As part of the financing of the project, the United States Department of Agriculture issued a 2002 Tax Allocation Bond, Series (A), to the Redevelopment Agency of the County of Ventura. The bond amount is \$750,000, the loan date is August 15, 2002, and the maturity date is July 1, 2017.

### 3. Estimate of current value:

The cost of new improvements to the property in 2001 was \$1,375,000. Improvements were valued for insurance purposes in 2007 for the building and gazebo only for \$1,672,889 (Exhibit C - May 1, 2007 Property Valuation Notification). Since insurance companies generally value improvements at the higher end of the value range to ensure the property is not underinsured, the Successor Agency estimates that the current value is no more than \$1,672,889 (the 2007 Property Valuation). Due to the ongoing soft market and weak economy, and significantly depressed property values in the Piru area of the County, the 2007 Property Valuation is the estimated current fair market value.

### 4. If available, provide current appraisal:

Not available on this property.

### 5. Purpose for which the property was acquired:

In 1995, the Ventura County Board of Supervisors adopted the Piru Community Enhancement Plan that identified private and public improvements that would lead to the economic revitalization of the community of Piru. Key to this plan was the development of a Town Square facility, located along the Santa Paula Branch railroad right-of-way on either side of Piru's commercial downtown. The Town Square building was intended to be leased to a business and the grounds used by the community for special events and community activities that would drive customers to the commercial downtown area. In December 2002, construction was completed on the Piru Town Square. The building was constructed with a \$625,000 grant from the U.S. Economic Development Administration (EDA). One of the requirements for obtaining the EDA grant was making the building available for use by private enterprise, thus encouraging job creation and economic revitalization. The 1,002 square foot retail/community building was designed to provide two retail rooms (approximately 300 s.f. each), with the balance of the building's floor area allotted for four single use toilets, a water fountain, a plumbing maintenance gallery and small storage area. The latter four elements are accessed from outside the building, making the restrooms available to the public.

### 6. Parcel data:

- a. Parcel data: The project was built over two legal parcels: APN 056-0-102-160 and APN 056-0-060-220.
- b. Address: 664 Piru Square (formerly 3977 East Center Street), Piru, CA 93040
- c. Lot size: Seven acre parcel with 1,002 square feet of building space (includes restrooms and 630 square foot leased retail space), water fountain, a 464 square foot gazebo and children's playground.
- d. Current zoning in the former agency redevelopment plan or specific, community, or general plan: Commercial

### 7. Estimate of any lease, rental, or any other revenues generated by the property, and a description of the contractual requirements for the disposition of those funds:

After obtaining the notice of completion on March 12, 2003, there were three separate tenants who set up a retail business in the Town Square Depot building.

- a. The term of the Agreement for the first tenant was for three (3) years commencing on September 1, 2003 and terminating on August 31, 2006, with two, two-year options. The lease payment schedule started at \$300 per month (for the first 3 years). The tenant gave notice of closing the business and vacated the building by June 30, 2006.
- b. The second tenant entered into an agreement effective July 1, 2006 at \$350 per month for the first 3 years with two, two-year options. The retail business was acountry antique and gift shop, showcasing local arts and crafts. Several default letters were issued due to failure to pay rent in the amount of \$3,700 owed for the months of May, June, July, August, September, October, November, December, 2007, and for January and February 2008. They were given a thirty (30) days' notice requiring the full payment amount of \$3,700 in unpaid rent. They failed to respond; therefore the RDA terminated the lease in February 2008.
- c. The third tenant opened a retail business for \$400 month. The business was a boutique, showcasing local arts and crafts. It was open on weekends and

holidays, particularly catering to riders aboard the Fillmore & Western excursion trains. The strategy was to have a destination in Piru that would always be open when the train came into town. The term of the agreement was two (2) years commencing on June 1, 2009 and terminating on May 31, 2011. At the conclusion of this term, the tenant had the option to extend the terms of this lease for two years. However, Fillmore & Western did not establish regularly scheduled stops in Piru and eventually discontinued all stops due to budgetary issues creating an inability to regularly maintain the railroad. Consequently, the tenant never moved into the facility and canceled the lease.

d. To date, the Town Square building has remained commercially available. However, due to the downturn in the economy, no potential tenant has shown interest in setting up a business in the Town Square building. The lack of new business activity has also been evident in the entire downtown area of Piru.

Public facility reservations and filming permits were another source of potential revenue generation for the Town Square facility.

a. Anyone interested in reserving the Piru Town Square was required to complete a "Facility Reservation Permit for Piru Town Square"; an "Amplified Sound Permit" and a "Selling Permit" if applicable. Although the public could reserve the facility for a fee, no public reservations took place because the residents opted to use the public grounds on a first-come, first-served basis. Non-profit organizations endorsed by the community of Piru were allowed to use the facility free of charge, upon approval. Prior to the dissolution of the RDA, filmproduction companies, interested in using the facility for a film shoot, would complete the Facility Reservation Permit. Permit fees are based on the size of the group, what parts of the facility they were using (building, restrooms, water fountain or gazebo), if electricity was needed, how many days were required, impact to the facility and if maintenance staff were needed. Certificate of Insurance is also required. All revenue received was deposited into the nonhousing RDA funds.

- b. Since the dissolution of the RDA, the handling of all Facility Reservations and Film Permits are now contracted with the County of Ventura, General Services Agency who handles similar permitting for County park facilities. Fees are structured similarly to their facility use and film permit fee schedule that is approved annually by the County Board of Supervisors. Any fees obtained from such use are channeled through the Successor Agency, Auditor-Controller's Office and then out to the taxing entities.
- 8. History of any environmental contamination, including designation as a Brownfield site, any related environmental studies, and history of any remediation efforts:

Not applicable for this property.

9. Description of the property's potential for transit-oriented development and the advancement of the planning objectives of the successor agency:

The Town Square Depot is located along the Santa Paula Branch railroad right-of-way on either side of Piru's commercial downtown area. The Fillmore & Western Railway Company currently runs historic trains between Santa Paula and Fillmore. Plans were underway to extend the rail tracks and train service into Piru and eventually beyond to Rancho Camulos. However, the Town Square project components did not include either the reinstallation of rail tracks or the resumption of train service to this community. The Fillmore & Western Railway Company did conduct a couple of visits along the spur to-the Depot to support the community's holiday and "Rail Fest" special events, however, due to lack of community coordination, the last stop was in 2010. Due to budget constraints, Fillmore & Western Railway no longer maintains the spur for active use and there are no plans to reinstate the service.

10. History of previous development proposals and activity, including the rental or lease of the property:

See Item # 7 above for a list of rental/lease activity that has taken place on this property.

There are no other development proposals pertaining to this 7 acre property.

### 11. Identify the use or disposition of the property, which could include:

- a. The retention of the property for governmental use,
- b. The retention of the property for future development,
- c. The sale of the property, or
- d. The use of the property to fulfill an enforceable obligation.

The Successor Agency will retain the property for governmental use (item "a"). Once the Long Range Property Management Plan is approved by the Department of Finance, the Piru Town Square will be transferred to the County of Ventura at no cost. The County of Ventura will retain and maintain the property for government use, serving the residents of Piru as a community park.

12. Other properties dedicated to governmental use purposes and properties retained for purposes of fulfilling an enforceable obligation.

The Piru Storm Drain is the only other property that will be retained for the purpose of governmental use.